

Section 191j of the Park System Resource Protection Act, 16 U.S.C. 191j. The proposed Consent Decree resolves natural resource damage claims and park system resource damage claims of the United States and Texas against the defendants arising out of the discharge of fuel oil in the Gulf of Mexico in February 1995. Under the proposed Consent Decree, defendants will conduct specific projects at public beaches to restore some of the natural resources that were lost or injured as a result of the oil spill, pay approximately \$1.6 million into a court registry account to help fund projects to restore, replace or acquire the equivalent of resources or services injured by the oil spill, and pay all assessment costs.

The Department of Justice will receive comments relating to the proposed Consent Decree for 30 days following publication of this Notice. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, PO Box 7611, Ben Franklin Station, Washington, DC 20044-7761, and should refer to *United States and the State of Texas v. Bulk Transport LTD, of Bermuda and SPT Marine, Inc. et al.* The proposed Consent Decree may be examined at the Office of the United States Attorney for the Southern District of Texas, Houston, Texas, and the Region VI Office of the United States Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas, 75202. A copy of the proposed Consent Decree may be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check for reproduction costs (at 25 cents per page) in the amount of \$5.00 for the Decree, payable to the Consent Decree Library.

**Joel M. Gross,**

Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.  
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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. H.W. Wageley, Inc., et al.*, C.A. No. 3:99-CV-90, was lodged on October 28, 1999 with the United States District Court for the Northern District of West Virginia. The consent decree

resolves the United States' claims for response costs, pursuant to section 107 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9607, against defendants H.W. Wageley, Inc., Mary P. Perry, Roger Perry, and William C. Perry. These costs were incurred in connection with the cleanup of the Charles Town Coal Tar Site, located in Charles Town, West Virginia. Under the consent decree, the defendants, within thirty days after entry of the decree by the Court, will reimburse the Superfund \$80,000 for response costs incurred in connection with the cleanup of the Site.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. H.W. Wageley, et al.*, DOJ Reference No. 90-11-3-06366.

The proposed consent decree may be examined at the office of the United States Attorney, Suite 200, 1100 Main Street, Wheeling, West Virginia 26003; and the Region III Office of the Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029. A copy of the proposed decree may be obtained by mail from the Department of Justice Consent Decree Library, PO Box 7611, Washington, DC 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$22.50 (.25 center per page production costs), payable to the Consent Decree Library.

**Joel M. Gross,**

Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.  
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## DEPARTMENT OF JUSTICE

### Antitrust Division

### United States of America and the State of Texas v. Aetna Inc. and The Prudential Insurance Company of America; Public Comments and Response on Proposed Final Judgment

Pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(c)-(h), the United States publishes below the comments received on the proposed final judgment in *United States of America and the State of Texas v. Aetna*

*Inc. and The Prudential Insurance Company of America*, Civil Action No. 3-99CV1398-H, filed in the United States District Court for the Northern District of Texas (Dallas Division), together with the United States' response to those comments.

Copies of the comments and the response are available for inspection and copying at the U.S. Department of Justice, Antitrust Division, 325 7th Street, NW, Suite 400, Washington, DC 20530 (telephone: (202) 616-5933), and at the Office of the Clerk of the United States District Court for the Northern District of Texas (Dallas Division). Copies of these materials may be obtained upon request and payment of a copying fee.

**Constance K. Robinson,**

Director of Operations.

### Response of the United States to Public Comments

Pursuant to the requirements of the Antitrust Procedures and Penalties Act (the "APPA"), 15 U.S.C. 16(b)-(h), the United States hereby responds to public comments received regarding the proposed Revised Final Judgment in this matter.

The United States filed a civil antitrust Complaint under Section 15 of the Clayton Act, 15 U.S.C. 25, on June 21, 1999, alleging that the proposed acquisition by Aetna Inc. ("Aetna") of The Prudential Insurance Company of America's ("Prudential") health insurance business would violate Section 7 of the Clayton Act ("Section 7"), 15 U.S.C. 18. The State of Texas, by and through its Attorney General, joined the United States as co-plaintiff in this action. On August 4, 1999, the United States and the State of Texas filed a proposed Revised Final Judgment, a Revised Hold Separate Stipulation and Order, and a Revised Competitive Impact Statement ("CIS").

The proposed Revised Final Judgment and CIS were published in the **Federal Register** on Wednesday, August 18, 1999 at 64 FR 44946 (1999). A summary of the terms of the proposed Revised Final Judgment and the CIS and directions for the submission of written comments were published in the *Washington Post* and the *Dallas Morning News* for seven consecutive days, from July 27 through August 2, 1999. The 60-period for comments expired on October 18, 1999.

The United States received six comments on the proposed Revised Final Judgment. Two of the comments were submitted by individuals; one was submitted on behalf of a medical group and physician contracting organization; three were submitted on behalf of